

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|----------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 8:21CR11 |
| |) | |
| vs. |) | |
| |) | |
| CODY A. CAPE, |) | ORDER |
| |) | |
| Defendant. |) | |

This matter is before the court on the defendant's Unopposed Motion to Continue Trial [72]. Counsel requests additional time to complete plea negotiations. For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [72] is granted, as follows:

1. The jury trial, now set for April 19, 2022, is continued to **June 28, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and June 28, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without counsel for the parties requesting a hearing before the undersigned magistrate judge.**

DATED: March 23, 2022

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge